



Ford Marrin Esposito
Witmeyer & Gleser, LLP

Wall Street Plaza, 16th Floor
New York, NY 10005
Tel +1 212 269 4900
Fax +1 212 344 4294

MICHAEL L. ANANIA
manania@fordmarrin.com

www.fordmarrin.com

October 31, 2022 Application granted.

Via Electronic Filing

Hon. Naomi Reice Buchwald
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, NY 10007-1312

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Naomi Reice Buchwald".

NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

Dated: New York, New York
November 2, 2022

Re: *Polcom USA, LLC v. Affiliated FM Ins. Co. and Zurich American Insurance Company*, Case No.: 1:20-cv-9206 (NRB) and
M. A. Mortenson Company v. Zurich American Ins. Co.,
Case No.: 1:22-cv-0092 (NRB)

Phase I Summary Judgment – Letter Motion to Seal

Dear Judge Buchwald:

This firm represents Defendant Zurich American Insurance Company (“Zurich”) in the above-referenced actions currently pending before Your Honor.

I write pursuant §2.H.2 of Your Honor’s Individual Practices as well as the Stipulated Confidentiality and Protective Order, filed by the parties on March 2, 2022, (dkt. 63) for the purpose of requesting permission to file under seal (with permission restricted to the Court and the parties) certain exhibits in connection with Zurich’s “Phase I” Motion for Partial Summary Judgment, and to file redacted versions of Zurich’s Memorandum of Law and Statement of Material Facts to the extent such exhibits are quoted therein.

In sum, Zurich’s summary judgment motion attaches and discusses several documents that were exchanged by the parties during Phase I discovery, which documents were marked as “Confidential” by the producing party. The proposed attorney declaration and annexed exhibits will be filed electronically in accordance with Your Honor’s Individual Practices and the Court’s ECF Rules and Instructions, section 6. Courtesy copies of the sealed and redacted documents will be mailed to Chambers pursuant to Your Honor’s Individual Practices Rule 2(H).

Please do not hesitate to contact me with any questions.

Respectfully submitted,

/s/ Michael L. Anania

cc: Counsel of Record (*via* ECF)